

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

CASE NUMBER: 2:06 CR 63

VIKRAM S. BUDDHI

Defendant.

MOTION TO CONTINUE PRETRIAL CONFERENCE AND TRIAL

Comes now the defendant, Vikram Buddhi, by counsel, John E. Martin, and moves the court for an order continuing the pretrial conference and jury trial. In support of this motion, the defense states as follows:

1. That the defendant is charged by way of indictment filed on April 19, 2006 with 11 counts including threats against the President under 18 U.S.C. section 871(a).
2. The pretrial conference is currently scheduled for November 30, 2006 at 8:30 a.m. and trial by jury is currently scheduled for December 11, 2006 at 9:00 a.m.
3. Although the defense has diligently attempted to investigate the facts and surrounding circumstances of the defendant's indictment, additional time is needed to adequately investigate the facts and circumstances.
4. The defense has hired an expert to review and analyze the contents of the defendant's computer, hard drives, and discs; however, numerous hard

drives and discs were contained in the discovery, and counsel for the defense has been in contact with the defenses forensic computer expert and counsel for the defense has been informed that the forensic computer expert cannot complete his analysis in time for the trial currently scheduled for December 11, 2006.

5. Counsel for the defense has discussed the issue involving the forensic computer analysis with the government and counsel for the government has informed counsel for the defense that when the defense's forensic computer specialist has completed his analysis and provides a written report, the government will need a reasonable time to review the report and prepare for trial.
6. Counsel for the defense has discussed the need for this continuance with counsel for the government, and counsel for the government agrees with the need for this continuance.
7. The defendant has been advised and understands that the delay in proceeding to trial, occasioned by a continuance granted in response to this request, will be excluded for time for purposes of calculating a trial setting under the Speedy Trial Act and the U.S. Constitution.
8. The ends of justice served by granting this request for continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, the defendant, by counsel, moves for an order continuing the trial currently set for December 11, 2006 for a period of no less than sixty (60) days as convenient with the court's calendar.

Respectfully submitted,

Northern District of Indiana
Federal Community Defenders, Inc.

By: s/John E. Martin
John E. Martin
219 Russell Street, 6th Floor
Hammond, IN 46320
Phone: (219) 937-8020
Fax: (219) 937-8021

CERTIFICATE OF SERVICE

I hereby certify that, on November 28, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/CM/ECF system which sent notification of such filing to the following:

Philip Craig Benson
philip.benson@usdoj.gov

and I hereby certify that I have mailed the document by U.S. Postal Service to the following non CM/CM/ECF participants:

s/ John E. Martin